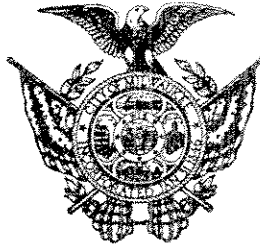


CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
PATRICK B. McDONNELL
LINDA ULISS BURKE
Deputy City Attorneys



OFFICE OF CITY ATTORNEY
800 CITY HALL
200 EAST WELLS STREET
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD 286-2025
FAX (414) 286-8550

April 14, 2005

Lynda Turenske
1237 East Vienna, # 1
Milwaukee, WI 53212

RE: Lynda Turenske
C.I. File No. 05-V-16

Dear Ms. Turenske:

We have received your claim in the amount of \$3,984.18, relating to damage sustained to your vehicle on January 12, 2005 when it was allegedly hit by a garbage truck at 1237 East Vienna.

Our investigation reveals that the Fleet Accident Report completed as a result of this alleged incident notes that the driveway is very narrow and there are low overhead wires in the area. There is no evidence that a City garbage truck had backed-up the driveway and into the parking area where your vehicle was parked. This spot is some distance past the garbage carts. The damages to your vehicle do not line up with the equipment on the garbage truck. In addition, the driver also denies backing-up the driveway. There was also no paint transfer on the truck. Since there is no evidence to support your belief that a City garbage truck caused the damage, the City cannot accept liability. Therefore, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the date of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,

GRANT F. LANGLEY
City Attorney

STEVEN M. CARINI
Investigator/Adjuster

SMC:beg
1030-2005-139-92078

I wish to appeal
Lynda Turenske

THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
VINCENT J. BOBOT
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND
KATHRYN M. ZALEWSKI
MEGAN T. CRUMP
ELOISA DE TEON
ADAM STEPHENS

Assistant City Attorneys

MILWAUKEE
CITY CLERK
RONALD O. LEONHARDT
MAY 17 AM 9:13

CITY OF MILWAUKEE
OFFICE OF
CITY ATTORNEY
MAY 17 AM 11:17

on wed 1-12-2005
around 7:00am my 2002
Mazda was hit by a
garbage truck at
1237 EUENNA

I made many calls
no one would help me.
I called the mayors
office on 1-14-2005
to get results.

Lynda Turenske
1237 E UENNA #1
Milw WI 53212
414 550-1126
414 967-1159

CITY OF MILWAUKEE
RECEIVED

2005 JAN 20 PM 3:06

OFFICE OF
CITY ATTORNEY

CITY OF MILWAUKEE

2005 JAN 20 AM 9:34

RONALD U. LEONHARDT
CITY CLERK

01/19/2005 at 10:59 AM
19855

Job Number:

CARSTAR AMERICAN AUTO BEAUTY
License #:317816 Federal ID #:391375185
JUST AROUND THE CORNER NATIONWIDE
3866 N FRATNEY ST
MILWAUKEE, WI 53212
(414)962-4600 Fax: (414)962-6217

PRELIMINARY ESTIMATE

Written By: CHRIS STARR
Adjuster:

Insured: LYNDA TURENSKE
Owner: LYNDA TURENSKE
Address: 1237 E VIENNA #1
MILWAUKEE, WI 53212
Day: (414)967-1159
Cellular: (414)550-1126

Claim #
Policy #
Deductible:
Date of Loss:
Type of Loss:
Point of Impact: 7. Left Rear

Inspect Location: CARSTAR AMERICAN AUTO BEAUTY
3866 N FRATNEY ST
MILWAUKEE, WI 53212

Other: (414)962-4600

Insurance Company:

Days to Repair

2002 MAZD PROTEGE LX 4-2.0L-FI 4D SED GOLD Int:
VIN: JM1BJ225721591418 Lic: 385AKB WI Prod Date: Odometer: 71157

Air Conditioning	Rear Defogger	Tilt Wheel
Cruise Control	Intermittent Wipers	Keyless Entry
Body Side Moldings	Dual Mirrors	Clear Coat Paint
Metallic Paint	Power Steering	Power Brakes
Power Windows	Power Locks	Power Mirrors
AM Radio	FM Radio	Stereo
Search/Seek	CD Player	Driver Air Bag
Passenger Air Bag	Cloth Seats	Bucket Seats
Automatic Transmission	Overdrive	Aluminum/Alloy Wheels

NO.	OP.	DESCRIPTION	QTY	EXT. PRICE	LABOR	PAINT
1		QUARTER PANEL				
2	Repl	LT Quarter panel	1	635.25	16.2	3.0
3		Add for Clear Coat				1.2
4	R&I	LT Mud guard			0.3	
5	Repl	Fuel door	1	31.60	Incl.	0.3
6		Add for Clear Coat				0.1
7		REAR DOOR				
8	Blnd	LT Door shell				1.0
9	R&I	LT Belt w'strip			0.3	
10	Repl	LT Body side mldg LX & ES galaxy gold	1	49.05	0.4	0.3
11	R&I	LT Weatherstrip				
12*	R&I	LT Run channel			0.2	

PRELIMINARY ESTIMATE

2002 MAZD PROTEGE LX 4-2.0L-FI 4D SED GOLD Int:

NO.	OP.	DESCRIPTION	QTY	EXT. PRICE	LABOR	PAINT
13	Blnd	LT Handle, outside LX & ES galaxy gold				0.3
14	R&I	LT Handle, outside LX & ES galaxy gold			0.3	
15	R&I	LT R&I trim panel			0.4	
16		TRUNK LID				
17	Blnd	Trunk lid w/o spoiler				1.7
18	Repl	Ornament	1	10.95	0.2	
19	Repl	Nameplate "mazda"	1	7.45	0.2	
20	Repl	Nameplate "Protege"	1	9.25	0.2	
21	R&I	Finish molding galaxy gold			0.2	
22	R&I	Weatherstrip			Incl.	
23		BACK GLASS				
24	R&I	Glass Mazda all			Incl.	
25	Repl	Reveal molding	1	56.45	Incl.	
26#	Repl	SEALANT KIT	1	25.00		
27		REAR LAMPS				
28	Repl	LT Combo lamp assy w/o MPS	1	136.95	Incl.	
29		REAR BODY & FLOOR				
30*	Rpr	Rear body panel			6.0	1.5
31		Add for Clear Coat				0.3
32		REAR BUMPER				
33	Repl	Bumper cover	1	235.75	1.3	2.2
34		Add for Clear Coat				0.9
35		Deduct for Rear Bumper R&I			-1.0	
36	Repl	Bumper cover fastener upper	8	10.80		
37	Repl	Bumper cover fastener lower	8	10.80		
38#	Repl	FLEX ADDITIVE	1	8.00		
39#	Repl	SEAM SEALER	1	10.00		
40#	Refn	COVER CAR				0.2
41#	Refn	MASK JAMBS				0.3
42#	Repl	CORROSION PROTECTION	1	10.00	0.3	
43#	Subl	HAZARDOUS WASTE REM	1	7.00 T		
44		OTHER CHARGES				
45#		ESTIMATE DEPOSIT	1	50.00		
Subtotals ==>				1304.30	25.5	13.3

Estimate Notes:

OWNER WILL NEED RENTAL VEHICLE WHEN CAR IN SHOP PRELIMINARY ESTIMATE WILL
LEAVE OPEN FOR ADDITIONAL AFTER TEARDOWN

PRELIMINARY ESTIMATE

2002 MAZD PROTEGE LX 4-2.0L-FI 4D SED GOLD Int:

Parts		1247.30
Body Labor	25.5 hrs @ \$ 52.00/hr	1326.00
Paint Labor	13.3 hrs @ \$ 52.00/hr	691.60
Paint Supplies	13.3 hrs @ \$ 30.00/hr	399.00
Body Supplies	25.5 hrs @ \$ 4.00/hr	102.00
Sublet/Misc.		7.00

SUBTOTAL		\$ 3772.90
Sales Tax	\$ 3772.90 @ 5.6000%	211.28

GRAND TOTAL		\$ 3984.18
ADJUSTMENTS:		
Deductible		0.00

CUSTOMER PAY		\$ 0.00
INSURANCE PAY		\$ 3984.18

PARTS PRICES MAY VARY ACCORDING INVOICE

MOTOR VEHICLE REPAIR PRACTICES ARE REGULATED BY CHAPTER ATCP 132, WIS. ADM. CODE, ADMINISTERED BY THE BUREAU OF CONSUMER PROTECTION, WISCONSIN DEPT. OF AGRICULTURE, TRADE AND CONSUMER PROTECTION, P.O. BOX 8911, MADISON, WISCONSIN 53708-8911.

Estimate based on MOTOR CRASH ESTIMATING GUIDE. Unless otherwise noted all items are derived from the Guide ARH5416 Database Date 01/2005, CCC Data Date 01/2005, and the parts selected are OEM-parts manufactured by the vehicles Original Equipment Manufacturer. OEM parts are available at OE/Vehicle dealerships. Asterisk (*) or Double Asterisk (**) indicates that the parts and/or labor information provided by MOTOR may have been modified or may have come from an alternate data source. Tilde sign (~) items indicate MOTOR Not-Included Labor operations. Non-Original Equipment Manufacturer aftermarket parts are described as AM, Qual Repl Parts or Comp Repl Parts which stands for Competitive Replacement Parts. Used parts are described as LKQ, Qual Recy Parts, RCY, or USED. Reconditioned parts are described as Recon. Recored parts are described as Recore. NAGS Part Numbers and Prices are provided by National Auto Glass Specifications, Inc. Pound sign (#) items indicate manual entries. Some parts that are described as Recon. may be OE Surplus parts or other OE parts offered at a special pricing discount. For further clarification please review the Suppliers List attached to this estimate, or consult the appraiser or estimator.

CCC Pathways - A product of CCC Information Services Inc.

893.80 Claims against governmental bodies or officers, agents or employes; notice of injury; limitation of damages and suits. (1) Except as provided in subs. (1g), (1m), (1p) and (8), no action may be brought or maintained against any volunteer fire company organized under ch. 213, political corporation, governmental subdivision or agency thereof nor against any officer, official, agent or employe of the corporation, subdivision or agency for acts done in their official capacity or in the course of their agency or employment upon a claim or cause of action unless:

(a) Within 120 days after the happening of the event giving rise to the claim, written notice of the circumstances of the claim signed by the party, agent or attorney is served on the volunteer fire company, political corporation, governmental subdivision or agency and on the officer, official, agent or employe under s. 801.11. Failure to give the requisite notice shall not bar action on the claim if the fire company, corporation, subdivision or agency had actual notice of the claim and the claimant shows to the satisfaction of the court that the delay or failure to give the requisite notice has not been prejudicial to the defendant fire company, corporation, subdivision or agency or to the defendant officer, official, agent or employe; and

(b) A claim containing the address of the claimant and an itemized statement of the relief sought is presented to the appropriate clerk or person who performs the duties of a clerk or secretary for the defendant fire company, corporation, subdivision or agency and the claim is disallowed.

To File A CLAIM with The *CITY OF MILWAUKEE*:

You will need the following information

DATE of Incident 1/12/05

"City" Vehicle Number 1237 E VIENNA